

A bill for an act

relating to natural resources; establishing eligibility requirements for parks and trails funding; establishing priorities for appropriating money from the parks and trails fund; requiring the development of a statewide parks and trails system inventory; appropriating money; amending Minnesota Statutes 2008, section 85.53; proposing coding for new law in Minnesota Statutes, chapter 85.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 85.53, is amended to read:

85.53 PARKS AND TRAILS FUND.

Subdivision 1. **Fund established; purpose.** The parks and trails fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the parks and trails fund must be credited to the fund. Money in the fund may be spent only to support parks and trails of regional or statewide significance. All interest earned from the fund shall remain in the fund. Appropriations from the fund must supplement traditional sources of funding for parks and trails and may not be used as a substitute.

Subd. 2. **Eligible parks and trails.** Only state parks under section 85.012; state trails under section 85.015; metropolitan regional parks and trails that meet the requirements of section 473.147 and qualify for funding under sections 473.301 to 473.351; and parks and trails that meet the requirements of this section are eligible to receive money from the fund.

Subd. 3. **Distributions.** Money from the parks and trails fund shall be distributed to the commissioner of natural resources and the Metropolitan Council to establish grant programs to provide grants to local units of government throughout the state for the acquisition of and improvements to public lands to support parks and trails of regional or statewide significance. A portion of the money shall remain in the fund as a reserve

for special projects of statewide significance. The commissioner of natural resources and the Metropolitan Council shall establish a separate account for administering grants with parks and trails fund money. The commissioner and the Metropolitan Council shall make a proportional geographic distribution of funds that takes into account the priorities established in subdivision 8. As used in this section, "commissioner" means the commissioner of natural resources.

Subd. 4. **Regional or statewide significance; eligibility requirements.** (a) For a park or trail to be considered of regional or statewide significance under this section:

(1) at least 30 percent of the park or trail user visits in a calendar year must be from users who do not reside within the area of jurisdiction of the governmental unit that has the financial and legal responsibility to own, operate, and maintain the park or trail; and

(2) the total usage of the park or trail must exceed 30,000 visitors in a one-year period. Park or trail attendance may be demonstrated by validated survey methods, actual user data statistics, or another objective and quantifiable measure that is accurate and reliable.

(b) To be eligible for a grant under this section, a park must consist of at least 100 acres of contiguous land or have special and unique characteristics that qualify the site as having state and regional significance. In the case of a proposed land acquisition for a new park, the grant applicant must conclusively demonstrate that the land, once acquired and developed as a park, will meet the criteria of this subdivision.

(c) To be eligible for a grant under this section, an applicant for a trail grant must demonstrate that the trail connects or will connect to existing state or metropolitan trails.

Subd. 5. **Matching requirements.** Recipients of grants under subdivision 3 must provide a nonstate match of at least 25 percent of the total eligible project costs. The commissioner and the Metropolitan Council shall make a disbursement to a grant recipient only upon receiving documentation of reimbursable matching expenditures.

Subd. 6. **Administration.** The commissioner and the Metropolitan Council may use up to two percent of the money distributed under this section for the administration of grants, including expenses related to gathering public input for grant criteria and priorities. Each grant recipient shall submit a report to the commissioner and the Metropolitan Council on the expenditure of money received under this section. The report shall be in a form prescribed by the commissioner and the Metropolitan Council and must detail outcomes in terms of increased use of park or trail resources, user satisfaction surveys, and other appropriate measurable outcomes.

Subd. 7. **Equitable distribution; reports.** The commissioner and the Metropolitan Council shall award grants under this section equitably and fairly throughout all areas of

the state. The commissioner and the Metropolitan Council shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over natural resources policy and finance on the grants made under this section annually by January 15.

Subd. 8. Parks and trails funding priorities. (a) In making grants with money from the parks and trails fund, the commissioner and the Metropolitan Council must consider whether proposed projects will fulfill and are consistent with the priorities established in this section.

(b) The commissioner and the Metropolitan Council shall give priority to projects that expand use and access to parks and trails in this state. Projects meeting this objective should demonstrate how the project will increase attendance at parks and trails and participation in parks and trails programs to provide new or enhanced visitor services and access; increase conservation education, interpretative services, and outdoors skills training; provide and enhance community assistance and volunteer coordination; and employ survey, marketing, and technology enhancements, including Web site enhancements, to target new audiences and provide new opportunities to engage citizens in order to create accessibility to facilities and provide personal contact to visitors and potential visitors.

(c) The commissioner and the Metropolitan Council shall give priority to projects that accelerate the management, restoration, and protection of natural landscapes and resources of state and regional parks and trails.

(d) The commissioner and the Metropolitan Council shall give priority to projects that accelerate facility maintenance and rehabilitation, including improved energy conservation by making infrastructure enhancements.

(e) The commissioner and the Metropolitan Council shall give priority to projects that use energy-efficient, innovative green technology; upgrade or renew facilities for day and overnight use; and enhance energy efficiency in existing facilities, buildings, equipment, and operations.

(f) The commissioner and the Metropolitan Council shall give priority to projects that involve youth and local citizens in activities aimed at developing, beautifying, and conserving parks or trails of state and regional significance.

(g) The commissioner and the Metropolitan Council shall give priority to projects that will acquire land to create new parks or trails of state and regional significance.

EFFECTIVE DATE. This section is effective July 1, 2009, and expires on June 30, 2012.

Sec. 2. **[85.531] COMPREHENSIVE STATEWIDE PARKS AND TRAILS
FRAMEWORK AND SYSTEM INVENTORY.**

A statewide parks and trails framework and system inventory is established to:

- (1) provide clear direction to subsequent state and regional parks and trails planning;
- (2) improve overall management direction and coordination of the state parks and trails system;
- (3) determine priorities for maintenance and expansion of trails;
- (4) connect parks and trails systems;
- (5) increase access to parks and trails, including allowing for expanded opportunities for ecotourism, cultural tourism, and public recreation; and
- (6) determine priorities for land acquisition.

Sec. 3. **CREATION OF FRAMEWORK AND INVENTORY; APPROPRIATION.**

Subdivision 1. Framework development. (a) The University of Minnesota Center for Changing Landscapes is directed to create a long-range, 25-year framework for an integrated statewide parks and trails system that provides information on the natural resource-based recreational opportunities available throughout the state. The detailed framework must include an inventory of existing regionally and statewide significant parks and trails, respond to recreational trends and demographic changes, and identify underserved areas, overused facilities, and gaps in the current parks and trails system. The framework must identify opportunities for enhancing existing assets, developing new assets, and linking those assets together effectively. In developing the framework and creating the inventory, the Center for Changing Landscapes shall use geographic information system technology, aerial photographs, and other pertinent data from government agencies.

(b) As part of the inventory, the Center for Changing Landscapes shall develop a user-friendly Web-based application that will function as a guide for information on state and regional parks in the state. The Department of Natural Resources and the Metropolitan Council shall work with the Center for Changing Landscapes to ensure that all the information currently available on their Web sites is incorporated into the newly developed statewide Web system. The statewide parks and trails Web guide shall be incorporated into the Department of Natural Resources Web site.

(c) In developing the framework and inventory, the Center for Changing Landscapes shall consult with the Department of Natural Resources, the Metropolitan Council, local units of government, park and trail groups, the public, and other stakeholder groups. The

Center for Changing Landscapes shall ensure public participation and active involvement of user groups and local communities.

Subd. 2. **Report.** The Center for Changing Landscapes shall submit the framework in a report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over natural resources policy and finance by October 1, 2010.

Subd. 3. **Appropriation.** \$700,000 is appropriated in fiscal year 2010 from the parks and trails fund to the Board of Regents of the University of Minnesota for the Center for Changing Landscapes to create a comprehensive statewide parks and trails framework and system inventory.

EFFECTIVE DATE. This section is effective July 1, 2009, and expires on June 30, 2012.

Sec. 4. **APPROPRIATIONS.**

(a) \$..... in fiscal year 2010 and \$..... in fiscal year 2011 are appropriated from the parks and trails fund to the commissioner of natural resources for the purposes specified in Minnesota Statutes, section 85.53, subdivision 4. This appropriation is not available until October 15, 2009.

(b) \$..... in fiscal year 2010 and \$..... in fiscal year 2011 are appropriated from the parks and trails fund to the Metropolitan Council for the purposes of Minnesota Statutes, section 85.53, subdivision 4. This appropriation is not available until October 15, 2009.